

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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IN RE: POSSIBLE VIOLATIONS :
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OF 18 USC 2511 and 2512 :
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Grand Jury Room No. 3
United States District Courthouse
3rd & Constitution Avenue, N. W.
Washington, D. C.

Tuesday, January 29, 1974

The testimony of EGIL KROGH, JR., was presented to
a full quorum of the Grand Jury.

BEFORE:

RICHARD BEN-VENISTE, ESQ.
Assistant Special Prosecutor
U. S. Department of Justice

GEORGE T. FRAMPTON, JR., ESQ.
Assistant Special Prosecutor
U. S. Department of Justice

JILL VOLNER
Assistant Special Prosecutor
U. S. Department of Justice

GERALD GOLDMAN, ESQ.
Assistant Special Prosecutor
U. S. Department of Justice

LAWRENCE IASON, ESQ.
Assistant Special Prosecutor
U. S. Department of Justice

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1 Q That means that the President's advisors as well
2 as Mr. Dean?

3 A That's right. That was the second part of your
4 question, I assumed that.

5 Q And, further, he indicated to you that he did not
6 believe that Mr. Hunt's threats could be met at that time?

7 A That's correct. I should also say that Mr. Dean,
8 in that meeting, was extremely unhappy -- seemed to be very,
9 very aggitated. He told me that he had been under excruciating
10 pressure for months; that his wife was very concerned about
11 him because he couldn't sleep at night; and that he felt
12 terrible. And I should also add that Mr. Dean and I had been
13 very close friends when he was the Associate Deputy Attorney
14 General for Legislation in the Department of Justice.

15 And, also, I had been partly responsible -- I would
16 say probably primarily responsible -- for recruiting him to
17 the White House staff. We had talked on a number of occasions.

18 Q Now, when Mr. Dean said, in substance, that the
19 President did not know what was going on, did you interpret --
20 did that statement lend itself to an interpretation that the
21 President did not understand what the significance was of
22 what was going on?

23 A Yes. It would lend itself to that interpretation.

24 Q Now, following your meeting with Mr. Dean, did you
25 have a telephone conversation with Mr. Ehrlichman on the

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1 20th of March as well?

2 A Yes, I did. I returned to the Department of Trans-
3 portation. I'm not sure of the precise time. It must have
4 been about 4:30, 5:00 o'clock that afternoon, and Mr. Ehrlich-
5 man had been trying to call me, I understood, at the time
6 that I had been with Mr. Dean in the Old Executive Office
7 Building.

8 He told me, when we made contact on the telephone,
9 that Mr. Hunt had been asking for a great deal of money. I
10 don't remember if he precisely stated a figure on the tele-
11 phone.

12 Q Did you indicate to Mr. Ehrlichman that Mr. Dean
13 had filled you in on the details?

14 A I don't believe I did tell him that.

15 Q And what else did Mr. Ehrlichman say?

16 A I told him -- I asked him what condition Mr. Hunt
17 was in and he said he did not know; that John Mitchell was
18 responsible for the care and feeding of Howard Hunt.

19 Q I'm not sure that the reporter got that -- the punc-
20 tuation there. Did he say, in substance, that Mr. Ehrlichman
21 told you that Mr. Ehrlichman did not know personally about
22 Mr. Hunt's situation but that Mr. Ehrlichman knew that Mr.
23 Mitchell was responsible for the care and feeding of Mr. Hunt?

24 A That's correct. That is the gist of it, yes, sir.

25 Q I'm sorry. I was distracted for a moment when you
began your narration of this conversation.

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1 Did you say that Mr. Ehrlichman told you that Mr.
2 Hunt was asking for a great deal of money and that he might,
3 in effect, blow the lid off?

4 A That's right. That is correct, yes.

5 Q And did he indicate that -- did you say that, if
6 the money was not paid, according to Mr. Ehrlichman, that Mr.
7 Hunt would, in essence, tell all he knew?

8 A In essence, that's correct.

9 Q And what occurred after this part of the conversa-
10 tion?

11 A I asked for a meeting with Mr. Ehrlichman to dis-
12 cuss this situation. He agreed, and I met with him the next
13 afternoon in his office, March 21st, in the West Wing of the
14 White House, second floor.

15 Q Now, were you waiting for him for some time in his
16 outer office?

17 A I waited there, I think, probably for an hour and
18 a half. I'm not sure exactly what time the meeting had been
19 set for -- 2:00, 3:00, 4:00, somewhere in there. But, in any
20 event, I had to wait quite a while before I was able to get
21 in, or he came in and we were able to go in his office to-
22 gether.

23 Q And did you know where Mr. Ehrlichman had been prior
24 to his meeting with you?

25 A I didn't know for certain. I assumed that he had

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1 been in a meeting either with the President and some other
2 staff people or with just other staff people who had been
3 discussing this situation.

4 Q Now, what was the conversation with Mr. Ehrlichman
5 at that time?

6 A He brought up the point again about Mr. Hunt asking
7 for a great deal of money. He also said that there had been
8 some suggestion that -- I believe he said that Mr. Dean had
9 raised -- whereby the Attorney General was vested with
10 authority to grant limited immunity to individuals and that
11 it had been suggested that perhaps -- and I should stress
12 that "perhaps" -- Mr. Young and I could go to the Department
13 of Justice under such a grant of limited immunity to tell
14 everything that we knew about the events, and I assumed that
15 meant the events of 1971.

16 My response to that was that I did not feel that
17 that would be feasible; that it would, in all probability,
18 be unacceptable to the Department of Justice. I based that
19 not so much on my knowledge of immunity and how it's used,
20 but the circumstances, at the time, plus my friendship with
21 Mr. Kleindienst, and I said I just didn't think it would work
22 out.

23 And he said, "However, but we must be practical
24 about this."

25 Q You were referring to whether or not you would get

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1 immunity, but not whether or not it might be advisable for
2 you to go to the Prosecutors or to the Department of Justice
3 and tell what you knew?

4 A Right. We were just talking about immunity at that
5 point.

6 Q Is it fair to say that this was in the context that
7 if Mr. Hunt was, in fact, going to tell all he knew, that it
8 would make sense, from a strategic standpoint, from your
9 situation, to appear at the Department of Justice to tell
10 your story prior to the time that Mr. Hunt might effectuate
11 his threat?

12 A That's the most reasonable implication from that,
13 yes.

14 Q And that was in the same context of his explaining
15 to you Mr. Hunt's threat, again -- reiterating it?

16 A I believe so, yes.

17 Q And do you recall whether Mr. Ehrlichman mentioned
18 something about Mr. Mitchell, in the context of Mr. Hunt's
19 most recent demands?

20 A I believe he mentioned, at this point, that we
21 could make no determination on what I should do with respect
22 to going to the Justice Department or any other action until
23 after they had met with Mr. Mitchell who, as I remember, I
24 was told was coming to Washington, D. C., the next day to
25 meet with him, with the President and, I assume, Bob Haldeman.

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1 but I was not told this specifically as to who would be in-
2 volved in those meetings.

3 Q So what you're saying is that you would not do any-
4 thing with respect to going over to the Justice Department or
5 to the Prosecutors until at least Mr. Mitchell arrived in
6 Washington and it was learned how this Hunt demand would be
7 handled or how it had been handled?

8 A That's correct.

9 Q Now, did there come a time thereafter when you spoke
10 to Mr. Ehrlichman again?

11 A Yes, sir. After that discussion with him on Wednes-
12 day, the 21st, I went home. I stayed away from the Department
13 of Transportation all day on Thursday the 22nd.

14 Q At that time, you were Under Secretary of the De-
15 partment of Transportation?

16 A I was Under Secretary of the Department of Trans-
17 portation, and I called in and said that I was not feeling
18 well, which was true, and was literally awaiting the outcome
19 of those meetings on Thursday.

20 Q And did you then have a telephone conversation with
21 Mr. Ehrlichman on the 22nd?

22 A Yes, sir, I did. It was in the late afternoon some-
23 where. I received a call from him and he indicated to me that
24 Mr. Hunt was, apparently, stable or more stable and that his
25 recommendation would be just to hang tough -- that's all.